

No.

200460187



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Blue Moon Farm LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BENTGRASS, CREEPING

'LS-44'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twelfth day of September, in the year two thousand and seven.

Attest:



Commissioner
Plant Variety Protection Office
Agricultural Marketing Service


Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).


2410
11-11-06

1. NAME OF OWNER Blue Moon Farm		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 01.0999,LS-44		3. VARIETY NAME LS-44	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 811 Mountain River Dr. Lebanon, OR 97355		5. TELEPHONE (include area code) (541) 451-1847		FOR OFFICIAL USE ONLY PVPO NUMBER 200400187 FILING DATE April 23, 2004	
		6. FAX (include area code) (541) 451-1847			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) LLC		8. IF INCORPORATED, GIVE STATE OF INCORPORATION OR		9. DATE OF INCORPORATION September 1, 2000	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) V. G. Lehman 811 Mountain River Dr. Lebanon, OR 97355				F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 3,652 - DATE April 23, 2004 CERTIFICATION FEE \$ 768.00 DATE 8/7/2007	
11. TELEPHONE (include area code) (541) 451-1847		12. FAX (include area code) (541) 451-1847		13. E-MAIL vlehman@aol.com	
14. CROP KIND (Common Name) creeping bentgrass		16. FAMILY NAME (Botanical) Graminae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Agrostis stolonifera var palustris		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23) 21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input checked="" type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input checked="" type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	

25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER 		SIGNATURE OF OWNER	
NAME (Please print or type) Virginia Lehman		NAME (Please print or type)	
CAPACITY OR TITLE Dir Research	DATE 21 Apr 2004	CAPACITY OR TITLE	DATE

(See reverse for instructions and information collection burden statement)

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (*See Regulations and Rules of Practice, Section 97.103.*)
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Date of first sale= 23 June 2003

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (*See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.*)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Population 1:

1994: Approximately 24 plants from 14 selected plants collected from old golf courses in New York, Rhode Island, and New Jersey were planted in a polycross for proximity crosses with 12 plants selected for phenotype from each of Cato, Crenshaw, and an A-5 population previously developed for dollar spot resistance; with harvest by maternal parent in Summer 1995;

Plants originated from collections from:

Fiddlers Elbow Golf Course, Bedminster Township, New Jersey, 1994

Garden City Country Club, Garden City, New York, 1992

BethPage, Farmingdale, New York, 1992

Newport CC, Newport, Rhode Island, 1992

Sakonnet Golf Club, Little Compton, Rhode Island, 1992

The maternal 24 plants were selected for density, fine leaf texture, and seed yield potential. Plants at Fiddlers Elbow were collected from plantings of L-93, Southshore, and Crenshaw creeping bentgrasses placed on the course for use and evaluation.

1995: Approximately 341 plants, from 21 of the 60 maternal parents from the 1995 harvest were planted for phenotypic evaluation as space plants near Lebanon, OR. Approximately 21 plants were selected and allowed to interpollinate in 1996, with seed harvested by maternal parent.

Population 2:

1994: A polycross was planted near Lebanon, OR composed of plants selected for salt tolerance and allowed to interpollinate in 1996 with seed harvested by maternal plants from approximately the following lines and plant numbers:

Penncross: 1 plant

Pennlinks: 2 plants

Seaside: 11 plants

Southshore: 1 plant

Putter: 2 plants

Cobra: 6 plants

1997: Approximately 76 plants from the 1996 maternal lines were planted in a polycross near Lebanon, OR and allowed to interpollinate in 1998.

Breeders Seed Production Polycross Nursery:

2000: 36, 26, and 24 plants tracing to the Putter, Penncross, and Pennlinks maternal lines from Population 2 were planted in a polycross in Lane County, OR, adjacent to 267 plants from the 1996 harvest of Population 1. Prior to pollination in 2001, approximately 50% of the Population 2 plants and approximately 10% of the Population 1 plants were rogued from the nursery. Plants were rogued based on coarse leaf texture, earliness of flowering, yellow genetic color, and excessively tall plant height. The seed from the remainder of the plants was bulked and declared breeder seed.

LS-44 is a uniform and stable variety. LS-44 has remained stable and uniform for two generations of seed production, and for four years in turfgrass plantings. Any variants, of which less than 3% appear, are lighter green, taller plants. LS-44 has remained stable from the breeders seed generation through the foundation planting for certified seed generation, and into turf plantings from the certified seed.

#200400187

Exhibit B: Statement of Distinctness

LS-44 is distinct from all creeping bentgrass varieties by a combination of morphological and turfgrass measurements.

LS-44 is most similar to L-93.

LS-44 may be distinguished from L-93 by LS-44 having improved brown patch resistance in New Jersey. In addition, LS-44 has longer lemma basal hairs than L-93.

Table 2007-1. Brown patch ratings from creeping bentgrass, seeded September 2003, North Brunswick, NJ.									
		Brown Patch (1)		Brown Patch (2)					
Variety		June-04		2006					
Declaration		9.0		7.0					
LS-44		7.7		7.3					
L-93		5.7		5.7					
Seaside		3.0		2.7					
LSD, p=0.05		1.4		1.1					
(1) From 2004 Rutgers Turfgrass Proceedings, Table 8., p20-21.									
Note: Test includes all entries of the 2003 National Bentgrass Fairway Test - NTEP).									
(2) From NTEP 2006 Bentgrass (Fairway/Tee) Test, Progress Report No. 07-3, Table 20 B., p. 46									
						brown patch ratings 1-9; 9 = no disease			

5

#200400187

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**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY PROGRAM
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705**

**EXHIBIT C
(BENTGRASS)**

**OBJECTIVE DESCRIPTION OF VARIETY
BENTGRASS
(*Agrostis* spp.)**

NAME OF APPLICANT(S) Blue Moon Farms	TEMPORARY DESIGNATION 01.0999, LS-44, 01.0803	VARIETY NAME
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) 811 Mountain River Dr Lebanon OR 97355		FOR OFFICIAL USE ONLY PVPO NUMBER #200400187

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089). Descriptions of characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACED PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append all pertinent comparative trial and evaluation data. The symbol "▲" indicates decimal.

COMPARISON VARIETIES FOR USE BELOW

1 = Astoria	2 = Exeter	3 = Highland	4 = Seaside SR1020	<u>Providence</u>
5 = Penncross	6 = Kingstown	7 = Astra	8 = Other (Please Specify):	<u>Southshore</u>
				<u>L93 & Crenshaw</u>

1. SPECIES

<u>2</u> 1 = Colonial (browntop) <i>A. tenuis</i> 3 = Velvet <i>A. canina</i> ssp. <i>canina</i> 5 = Red Top <i>A. gigantea</i>	2 = Creeping <i>A. stolonifera</i> (<i>A. palustris</i>) 4 = Brown Bent <i>A. canina</i> ssp. <i>montana</i>
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2. ADAPTATION (0 = Not Tested, 1 = Not Adapted, 2 = Adapted)

2 Northeast 2 Southeast 2 North Central 2 Pacific N. W.

☐ Other (Please Specify): _____

3. MATURITY (At first anthesis): Use comparison varieties

<u>7</u> Days earlier than <u>5</u> <u>June 18</u> Maturity the same as <u>L93</u> Days later than <u>none</u>	COMPARISON VARIETY COMPARISON VARIETY COMPARISON VARIETY
--	--

4. HEIGHT (Average of longest 10 shoots from soil surface to top of head)

<u>30</u> cm Height (at maturity)	<u>10</u> cm Shorter than <u>4</u> Height the same as <u>Southshore</u> <u>18</u> cm Taller than <u>Crenshaw</u>	COMPARISON VARIETY COMPARISON VARIETY COMPARISON VARIETY
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10. LEMMA (Continued)

☐☐☐ % Oblong ☐☐☐ % Other (Please Specify): _____

0.5 mm Width 1.9 mm Length (Exclusive of awn)

#200400187

Color: 80 % Buff 20 % Silvery

☐☐☐ % Other (Please Specify): _____

Surface: 100 % Glossy ☐☐☐ % Dull

Texture: 100 % Smooth ☐☐☐ % Punctate

Pubescence: 100 % Glabrous ☐☐☐ % Sparse

☐☐☐ % Copious

Basal Hairs: 30 % Absent 70 % Few

☐☐☐ % Many ☐☐☐ % Short

100 % Long ☐☐☐ % Appressed

☐☐☐ % Ascending ☐☐☐ % Spreading

Awns: 100 % Absent ☐☐☐ % Few

☐☐☐ % Many ☐☐☐ % Awn-pointed

☐☐☐ % Short ☐☐☐ % Long

☐☐☐ % Straight ☐☐☐ % Geniculate

Awn Insertion on Lemma: ☐☐☐ % Basal ☐☐☐ % Middle

☐☐☐ % Distal

11. PANICLE

Type (in anthesis): 93 % Open 0 % Compact 7% open/compact

Anthocyanin: 15 % Absent 85 % Present

Branches in Anthesis: ☐☐☐ % Appressed 100 % Ascending

☐☐☐ % Spreading

Branches in Fruit: 33 % Appressed 67 % Ascending

☐☐☐ % Spreading

Branch Surface: 14 % Smooth 86 % Scabrous

12. SEED

0.0732 Grams per 1000 seed

13. SPRING GREEN UP

2

1 = Early (Exeter)

2 = Medium (Astoria)

3 = Late (Kingstown)

14. ENVIRONMENTAL RESISTANCE (0 = Not Tested, 1 = Susceptible, 2 = Resistant) #200400187
 4 Cold 4 Heat 0 Drought 0 Shade ☐ Other (Please Specify): _____

15. DISEASE RESISTANCE (0 = Not Tested, 1 = Susceptible, 2 = Middle Susceptible, 3= Middle Resistance, 4= Resistance)

<u>0</u> Red Leaf Spot (<i>Drechslera erythrospila</i>)	<u>3</u> Helminthosporium Leaf Spot (<i>Bipolaris sorokiniana</i>)
<u>0</u> Melting Out (<i>Drechslera poae</i> (<i>Helminthosporium vagans</i>))	<u>3</u> Dollar Spot (<i>Sclerotinia homoeocarpa</i>)
<u>0</u> Pythium Blight (<i>P. aphanidermatum</i>)	<u>0</u> Pythium Blight (<i>P. ultimum</i>)
<u>0</u> Fusarium Blight (<i>F. roseum</i>)	<u>0</u> Fusarium Blight (<i>F. tricinctum</i>)
<u>4</u> Fusarium Patch (Pink Snow Mold) (<i>F. nivale</i>)	<u>0</u> Powdery Mildew (<i>Erysiphe graminis</i>)
<u>0</u> Ophiobolus Patch (<i>O. graminis</i>)	<u>0</u> Stripe Smut (<i>Ustilago striiformis</i>)
<u>3</u> Copper Spot (<i>Gloeocercospora sorghi</i>)	<u>0</u> Typhula Blight (Snow Scald) (<i>T. incarnata</i>)
<u>3</u> Red Thread (<i>Corticium fuciforme</i>)	<u>3</u> Brown Patch (<i>Rhizoctonia solani</i>)
<u>0</u> Stem Rust (<i>Puccinia graminis</i>)	<u>0</u> Crown Rust (<i>P. coronata</i>)
<u>0</u> Leaf Rust (<i>P. poae-nemoralis</i>)	<u>0</u> Other (Please Specify): _____

16. INSECT RESISTANCE (0 = Not Tested, 1 = Susceptible, 2 = Middle Susceptible, 3= Middle Resistance, 4= Resistance)

<u>0</u> European Chafer (<i>Amphimallon solstitialis</i>)	<u>0</u> Garden Chafer (<i>Phyllopertha horticola</i>)
<u>0</u> Chinch Bug (<i>Blissus insularis</i>)	<u>0</u> Webworm (<i>Crambus</i> spp.)
<u>0</u> Armyworm (Cutworm) (<i>Pseudaletia unipuncta</i>)	<u>3</u> Other (Please Specify): Fiery Skipper Larvae

17. GIVE VARIETY(S) THAT MOST CLOSELY RESEMBLE THE SUBMITTED VARIETY: For the following characteristics indicate the degree of resemblance (D.R.) with one of the following numbers: 1 = submitted variety is less than, lighter, or inferior to similar variety, 2 = Same as, 3 = More than, darker or superior, etc.

Character	Similar Variety	D.R.	Character	Similar Variety	D.R.
Growth Habit	L93	3	Leaf Color	L93	3
Awn Length			Panicle Type		
Seed Weight			Turf Fineness		
Cold Resistance			Heat Resistance	L93	3
Drought Resistance			Shade Resistance		
Brown Patch, warm season	L93	3	Summer Density	L93	3

18. COMMENTS

Summer Density comparison to L93 based on mean of July, August, September, North Carolina, 2002, high mowing height, at different fungicide treatments;

Brown patch ratings from Fairway NTEP trial.

Morphological comparisons based on 3 replications of spaced plant nurseries near Lebanon, OR, with 20 plants per replication per entry.

Table 1. Morphological characteristics of bentgrass measured in Lebanon, Oregon 2002.

NAME	Height	Heading dates	Flowering dates	Flag leaf length	Flag leaf width	3rd leaf width	Ligule length
1.0773	25	6-Jun	21-Jun	2.9	1.85	1.9	2.08
1.0800	25	9-Jun	22-Jun	3.6	2.07	2.0	2.44
1.0801	23	7-Jun	21-Jun	3.1	1.93	1.9	2.63
1.0802	20	6-Jun	19-Jun	2.8	1.99	1.7	2.22
LS44	24	5-Jun	19-Jun	2.9	2.03	1.9	2.59
1.0804	18	10-Jun	22-Jun	2.9	1.92	1.6	1.81
1.0806	25	11-Jun	25-Jun	3.7	1.77	1.8	2.66
1.0807	24	9-Jun	22-Jun	3.2	1.75	1.8	2.10
1.0831	22	10-Jun	22-Jun	3.0	1.99	1.7	2.14
97.4557	21	8-Jun	22-Jun	3.1	2.16	1.9	2.04
Crenshaw	25	5-Jun	19-Jun	3.5	1.76	1.9	
99.0395	22	2-Jun	16-Jun	3.0	1.96	1.7	2.35
99.0396	23	4-Jun	18-Jun	3.3	1.87	1.8	2.45
99.0397	24	6-Jun	19-Jun	3.0	1.69	1.8	2.59
Atlanta	24	5-Jun	20-Jun	2.9	1.88	1.9	1.98
bardot	31	11-Jun	26-Jun	5.5	2.21	2.2	
cobra	28	7-Jun	21-Jun	4.0	2.11	2.2	
I-93	26	5-Jun	19-Jun	3.7	2.07	2.0	
pennncross	22	13-Jun	27-Jun	3.4	1.80	1.8	
pennlinks	23	8-Jun	21-Jun	3.0	1.80	1.7	
providence	22	13-Jun	25-Jun	3.2	2.07	1.8	
seaside	36	11-Jun	25-Jun	5.5	2.42	3.0	
southshore	24	12-Jun	25-Jun	3.4	1.97	2.2	
sr 7100	35	8-Jun	25-Jun	6.8	2.27	2.3	
sr 7200	33	9-Jun	23-Jun	3.0	1.46	1.5	
sr1020	26	12-Jun	25-Jun	3.4	1.96	1.8	
1.0774	21	7-Jun	25-Jun	2.9	1.81	1.43	
CV	11.33	1.57	1.21	19.99	13.30	8.58	
LSD	4.61	4.09	3.45	1.13	0.42	0.26	

Table 2. Morphological characteristics of bentgrass measured at Lebanon, Oregon, 2003.											
Name	Natural height (cm)	Pulled up height (cm)	Heading date	Flowering date	Panicle length (cm)	Distance from node to flag leaf (cm)	Flag leaf length (cm)	Flag leaf width (mm)	3rd leaf width (mm)	Ligule length (mm)	
1.0773	35	45	7-Jun	19-Jun	6.7	6.0	2.9	2.25	2.92	2.75	
1.0800	35	48	10-Jun	22-Jun	7.5	6.3	3.0	2.34	2.93	2.18	
1.0801	36	45	5-Jun	19-Jun	6.2	5.2	2.8	2.21	2.79	2.09	
1.0802	35	48	5-Jun	18-Jun	7.2	6.4	2.9	2.08	2.67	2.21	
LS44	36	47	6-Jun	19-Jun	6.0	5.1	2.7	2.13	2.70	2.21	
1.0804	27	38	12-Jun	23-Jun	6.1	5.4	2.2	2.04	2.82	1.72	
1.0806	37	47	11-Jun	24-Jun	6.8	6.1	2.7	2.16	2.72	1.92	
1.0807	36	46	7-Jun	19-Jun	6.8	5.7	2.6	2.05	2.65	1.92	
1.0831	34	46	10-Jun	21-Jun	6.4	5.5	2.2	2.11	2.79	2.27	
L-93	38	52	5-Jun	17-Jun	7.6	6.4	3.4	2.27	2.87		
Southshore	37	51	11-Jun	23-Jun	7.5	6.6	2.9	2.37	3.14		
Pennlinks	35	48	10-Jun	21-Jun	3.0	2.0	3.1				
Providence	30	45	11-Jun	22-Jun	2.3	2.3	4.7				
Seaside	44	62	13-Jun	24-Jun	5.1	3.2	3.8				
Cobra	37	57	8-Jun	21-Jun	3.7	2.8	4.8				
Penncross	30	46	11-Jun	25-Jun	7.3	6.3	2.9	2.17	4.52		
Crenshaw	23	29	14-Jun	24-Jun	5.9	4.1	2.0	2.22	2.58		
Atlanta	35	45	5-Jun	18-Jun	2.6	2.1	2.6			2.23	
SR1020	36	52	10-Jun	22-Jun	7.6	6.2	2.8	2.37	2.93		
1.0774	23	32	12-Jun	22-Jun	2.70	1.69	2.19				
LSD	5.97	6.48	3.05	4.23	1.092	0.94	1.22	0.32	1.41		
CV	10.4	8.29	1.15	1.48	11.15	11.5	24.47	8.69	28.65		

Table 3. Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, no fungicide.

Variety	Quality April	Quality May	Quality June	Quality July	Quality August	Quality Sept	Quality Oct	Quality Nov	Quality Dec
Crenshaw	6.5	6	5.5	5	4.5	4.8	5	5.5	5.8
L93	7.5	6.8	6.3	4.5	3.8	4.3	4.5	5.3	6.3
LS-44	7.8	7	6	4.5	4.3	4.5	5	5.5	6
Penncross	5.3	4.5	4.5	4.3	3.8	4	4	4.3	5
A-4	7.5	6.8	5.8	4.5	4	4	4.3	5	5.8
A-1	7.3	6.3	6	4.8	4.8	4.5	5	6	6.5
G-2	6.5	5.8	5.3	4.5	3.3	3.8	4	4.5	5
Grand Prix	6	5.5	4.8	4.5	4	4.3	4.8	5.3	5.8
LSD	1.34	1	0.64	0.84	0.9	0.86	1.03	1.11	1.09

Table 4.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, no fungicide.									
	Color June	Color July	Color August	Color September	Color Mean					
Variety										
Crenshaw	5.3	4.5	4.8	4.8	4.8					
L93	5.8	4.3	4.3	4.3	4.6					
LS-44	5.3	4.3	5	5	4.9					
Penncross	4.3	4.3	4	4	4.1					
A-4	4.8	4.3	4.3	4.3	4.4					
A-1	5.5	4.5	5	5	5					
G-2	4.3	4.5	3.8	3.8	4.1					
Grand Prix	4.5	4	4.5	4.5	4.4					
LSD	0.66	0.68	1	1	0.99					

Table 5.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, no fungicide.									
Variety	Density July	Density August	Density September	Density Mean						
Crenshaw	5.8	4	4	4.6						
L93	5	3.8	3.8	4.2						
LS-44	5.3	4.3	4.3	4.6						
Penncross	4.5	3.8	3.8	4						
A-4	4.8	4	4	4.3						
A-1	5.5	4.8	4.8	5						
G-2	5	3.5	3.5	4						
Grand Prix	4	4	4	4.3						
LSD	1	0.93	0.93	0.95						

Table 6.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, with fungicide.											
	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality
Variety	April	May	June	July	August	Sept	Oct	Nov	Dec			
Crenshaw	5.5	5	5	4.3	3.8	4	4.8	5	5.3			
L93	7	6	6	4.3	3.8	4	4.8	5	5.8			
LS-44	7.3	6.3	5.8	4.5	4.5	5	5.8	6	6.5			
Pennecross	5	4.5	4	4.3	3.8	3.8	4.3	4.5	5.3			
A-4	6.8	5.8	5.5	4.3	4	4	4.5	5	5.8			
A-1	7.3	6.3	6	4.5	4.8	5	5.5	6	6.8			
G-2	6.3	5.5	5	4.5	3.5	3.8	4.5	5	5.5			
Grand Prix	5.5	5.3	4.8	4.3	4	4.5	5	5.3	5.4			
LSD	1.17	0.83	0.73	0.81	0.89	0.95	0.94	1.03	1.09			

Table 7. Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, with fungicide.

Variety	Color June	Color July	Color August	Color September	Color Mean				
Crenshaw	5	4.3	4.3	4.3	4.4				
L93	5.5	4.3	4	4	4.4				
LS-44	5.5	4.5	5.3	5.3	5.1				
Penncross	4	4.5	3.8	3.8	4				
A-4	5.3	4.3	4	4	4.4				
A-1	5	4.5	5	5	4.9				
G-2	4.8	4.5	3.8	3.8	4.2				
Grand Prix	4.8	4.3	4.5	4.5	4.5				
LSD	0.73	0.67	0.97	0.97	0.68				

Table 8.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, low mow, with fungicide.									
	Variety	Density July	Density August	Density September	Density Mean					
	Crenshaw	4.5	4	4	4.1					
	L93	4.5	3.8	3.8	4					
	LS-44	5	5	5	5					
	Penncross	4.3	3.5	3.5	3.7					
	A-4	4.5	4	4	4.1					
	A-1	5.8	5.3	5.3	5.4					
	G-2	4.8	3.5	3.5	3.9					
	Grand Prix	4.5	4	4	4.1					
	LSD	1.17	1.1	1.1	1.19					

Table 9.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high mow, no fungicide.											
Variety	Quality April	Quality May	Quality June	Quality July	Quality August	Quality Sept	Quality Oct	Quality Nov	Quality Dec			
Crenshaw	6	6.3	6	6	4.8	5.3	5.8	6.3	6.5			
L93	7	6.5	6.3	5.3	4.5	5	5.5	6	6.5			
LS-44	7.5	7.3	6.8	6.5	6	6.8	6.8	7	7.5			
Penncross	6	5.5	4.8	5	3.8	4	4.8	5.3	5.8			
A-4	7	6.5	6	6.5	5.3	5.3	5.5	6	6.5			
A-1	7.5	6.8	6.3	6.3	6	6.5	6.8	7	7.5			
G-2	6.3	5.8	5.3	6	4.8	5	5.5	6	6.5			
Grand Prix	5.3	5.3	5	6	5.8	5.8	6.3	6.3	6.8			
LSD	0.97	1	0.72	0.95	1.19	1.18	1.13	1.07	1.13			

Table 10.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high mow, no fungicide.									
	Color	Color	Color	Color	Color					
<u>Variety</u>	June	July	August	September	Mean					
Crenshaw	5.8	5.8	5.5	5.5	5.6					
L93	5.8	5	4.8	4.8	5					
LS-44	5.8	5.8	6.5	6.5	6.1					
Penncross	4.5	5	4	4	4.3					
A-4	5.8	5.8	5.3	5.3	5.5					
A-1	5.5	5.5	5.8	5.8	5.6					
G-2	4.8	5	4.8	4.8	4.8					
Grand Prix	5	5.5	5.5	5.5	5.3					
LSD	0.68	0.98	0.9	0.9	0.65					

Table 11.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high cut, no fungicide.									
	Variety	Density July	Density August	Density September	Density Mean					
	Crenshaw		7	5.3	5.3	5.8				
	L93		5.8	4.5	4.5	4.9				
	LS-44		7.8	7	7	7.2				
	Pennncross		5.3	3.8	3.8	4.2				
	A-4		7.3	5.8	5.8	6.2				
	A-1		7.8	7.3	7.3	7.4				
	G-2		6.8	5.3	5.3	5.7				
	Grand Prix		6.5	6.3	6.3	6.3				
	LSD		1.11	1.59	1.59	1.2				

Table 12.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high mow, fungicide.											
Variety	Quality April	Quality May	Quality June	Quality July	Quality August	Quality Sept	Quality Oct	Quality Nov	Quality Dec			
Crenshaw	6	5.5	6	5.8	5	5	6	6.5	6.8	7.3		
L93	6.5	6.3	6	5.8	4.5	5.3	5.3	6	6.5	6.8		
LS-44	7.5	7	7	6.3	6.3	6.3	6.5	6.8	6.8	7.8		
Penncross	5.8	5.3	5.3	4.5	3.8	4.3	4.3	4.5	5.5	6.3		
A-4	7.3	6.5	6.3	5.8	5.8	6.3	6.3	6	6.5	7.3		
A-1	7	6.8	6.5	6	5.8	6	6	6.8	6.8	7.3		
G-2	6.3	6	5.5	4.8	5	5.3	5.3	5.3	6.3	6.5		
Grand Prix	5.8	5.3	5.3	5	5	5.3	5.3	5.8	5.5	6.5		
LSD	0.84	0.71	0.66	0.85	1.16	1.02	1.21	1.27	1.3			

Table 13.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high mow, with fungicide.									
	Color June	Color July	Color August	Color September	Color Mean					
Variety										
Crenshaw	5.5	5.3	5.3	5.3	5.3					
L93	5.5	5	4.5	4.5	4.9					
LS-44	5.8	5.5	6	6	5.8					
Pennincross	4.5	4.5	4.5	4.5	4.5					
A-4	5.8	5.3	5.3	5.3	5.4					
A-1	5.5	5.3	5.8	5.8	5.5					
G-2	4.3	4.5	5	5	4.7					
Grand Prix	5	5	5	5	5					
LSD	0.69	0.73	0.78	0.79	0.61					

Table 14.	Bentgrass data, University of North Carolina, 2002, Pinehurst, NC, high cut, with fungicide.									
Variety	Density	Density	Density	Density	Density	Density	Density	Density	Density	Density
	July	August	September	Mean						
Crenshaw	6.50	5.5	5.5	5.8						
L93	5.8	4.8	4.8	5.1						
LS-44	6.8	7	7	6.9						
Penncross	4.8	3.8	3.8	4						
A-4	6.8	6.5	6.5	6.6						
A-1	6.5	6.3	6.3	6.3						
G-2	5	5	5	5						
Grand Prix	5.3	5	5	5						
LSD	1.25	1.46	1.46	1.22						

Table 15.		Sport Turf research report 2004, bentgrass performance, Bingley, West Yorkshire.						
	Leaf Spot	Leaf						
Variety	Fairway	Texture	Density					
	2003 Augu	2003 Sept.	2003 Oct.					
LS-44 (2.0017)	1.3	0.96	153290					
Independence	11.3	0.77	192840					
Penn A4	2.5	0.73	153018					
Bueno	12.5	0.81	191204					
Crenshaw	2.3	0.94	171565					
LSD	9.8							

Table 16. Warm Season brown patch ratings*, creeping bentgrass, Fairway trial, 2003 NTEP, with data from 2004.									
Variety	LOCATION		New Jersey		Mean				
	Illinois3								
Seaside	4.7		3		3.8				
L-93	6		5.7		5.8				
Pennlinks II	8		8		8				
Penncross	7.7		6		6.8				
LS-44	7.7		7.7		7.7				
Independence	7		8.3		7.7				
LSD p=0.05	1.4		1.4		1				
* Rated on a scale of 1-9, 9 = no disease									

Table 17. Dollar spot ratings*, creeping bentgrass, Fairway trial, 2003 NTEP, with data from 2005.

Variety	LOCATION				Mean
	Illinois3	Indiana1	Maine1	Virginia1	
Seaside	9	8.7	8	8.7	8.6
L-93	8.3	8.3	7.7	8.3	8.2
Pennlinks II	9	8	7.7	7.3	8
Penncross	6	7.7	6.7	8.7	7.3
LS-44	7.7	7.3	6.7	6.7	7.1
Independence	5	6.7	4.7	5.3	5.4
LSD p=0.05	1.9	1.7	1.8	2	0.9
* Rated on a scale of 1-9, 9 = no disease					

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28

Table 18.	Dollar spot ratings*, creeping bentgrass, Fairway trial, 2003 NTEP, with data from 2004.				
Variety	July	September	October	Mean	
Seaside	7	8	7.7	7.6	
L-93	7	8.7	8	7.9	
Pennlinks II	8	8.3	8.7	8.3	
Penncross	5.3	6.3	6.7	6.1	
LS-44	5.7	7	7.3	6.7	
Independence	5.3	5.3	6	5.6	
LSD p=0.05	1.2	1.2	2.3	0.9	
* Rated on a scale of 1-9, 9 = no disease					

ASSIGNMENT OF LS-44 CREEPING BENTGRASS

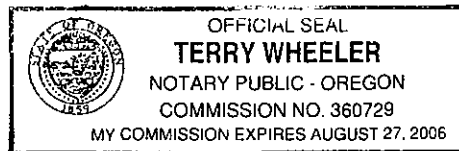
WHEREAS, Virginia Lehman, Blue Moon Farm, 811 Mountain River Dr., Lebanon, OR 97355 has developed the variety of LS-44 (01.0999) creeping bentgrass through breeding and development.


NOW, THEREFORE IN CONSIDERATION OF ONE DOLLAR (\$1.00) and other valuable consideration made to Virginia Lehman, I hereby assign unto Blue Moon Farm, 811 Mountain River Dr., Lebanon, OR 97355 my entire interest in LS-44 (01.0999) creeping bentgrass for the United States and all foreign countries and any plant variety protection to be issued therefore in the United States or any foreign country. The commissioner, Plant Variety Protection Office is requested to issue the plant variety protection certificate in accordance herewith.


Virginia Lehman

Sworn and subscribed before me this _____

Day of Feb 12, 2004.




Notary Public of Oregon

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Blue Moon Farm	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER LS-44, 01.0999	3. VARIETY NAME
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 811 Mountain River Dr. Lebanon, OR, 97355	5. TELEPHONE (include area code) (541) 451-1847	6. FAX (include area code) (541) 451-1847
7. PVPO NUMBER 200400187		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO10. Is the applicant the original owner? ☐ YES ☒ NO If no, please answer one of the following:a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)? ☒ YES ☐ NO If no, give name of countryb. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company? ☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

V. G. Lehman was the breeder and assigned all rights to Blue Moon Farm. Blue Moon Farm subsequently licensed the variety to LinksSeed.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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